

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

SAMUEL KATZ, an individual, on his )  
own behalf and on behalf of all others )  
similarly situated, )  
   )  
   ) Plaintiff,  
   )  
   )  
v.   )   Case No. 1:18-cv-10506-ADB  
   )  
LIBERTY POWER CORP., LLC, *et al.*, )  
   )  
   )  
   ) Defendants.  
   )  
   )

**DEFENDANTS LIBERTY POWER CORP., LLC AND LIBERTY POWER HOLDINGS,  
LLC'S MOTION TO BIFURCATE INDIVIDUAL AND CLASS DISCOVERY**

Defendants Liberty Power Corp., LLC and Liberty Power Holdings, LLC (collectively, “Defendants”), by and through counsel, move the Court for the entry of an Order bifurcating individual and class discovery in this matter. In support thereof, Defendants refer the Court to the accompanying memorandum in support filed herewith.

**LIBERTY POWER CORP., LLC,  
LIBERTY POWER HOLDINGS, LLC,**

By their attorneys,

Craig R. Waksler (B.B.O. # 566087)  
Pamela C. Rutkowski (B.B.O. # 681618)  
**ECKERT SEAMANS CHERIN &  
MELLOTT, LLC**  
Two International Place, 16th Floor  
Boston, MA 02110-2602  
Telephone: 617.342.6800  
Facsimile: 617.342.6899  
[cwaksler@eckertseamans.com](mailto:cwaksler@eckertseamans.com)  
[prutkowsky@eckertseamans.com](mailto:prutkowsky@eckertseamans.com)

/s/ Jeffrey P. Brundage

Charles A. Zdebski (*pro hac vice*)  
Jeffrey P. Brundage (*pro hac vice*)  
**ECKERT SEAMANS CHERIN &  
MELLOTT, LLC**  
1717 Pennsylvania Avenue, N.W.  
12<sup>th</sup> Floor  
Washington, DC 20006  
Telephone: 202-659-6676  
Facsimile: 202-659-6699  
Email: czdebski@eckertseamans.com  
Email: jbrundage@eckertseamans.com

Dated: June 25, 2018

**LOCAL RULES 7.1(a)(2) and 116.3(f) CERTIFICATE OF COMPLIANCE**

Undersigned counsel for the Defendants hereby certifies that counsel for the parties conferred via telephone on June 14, 2018 and via email and attempted in good faith to eliminate or narrow the issues that are the subject of this motion.

/s/ Jeffrey P. Brundage

Jeffrey P. Brundage

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non-registered participants on June 25, 2018.

John L. Fink, Esq.  
FINK LAW OFFICE  
18 Lyman Street, Suite 208  
J&N Professional Building  
Westborough, Massachusetts 01581  
*Co-Counsel for Plaintiff*

David C. Parisi, Pro Hac Vice  
Suzanne Havens Beckman, Pro Hac Vice  
PARISI & HAVENS LLP  
212 Marine Street, Unit 100  
Santa Monica, CA 90405  
*Co-Counsel for Plaintiff*

Yitzchak H. Lieberman, *Pro Hac Vice*  
Grace E. Parasmo, *Pro Hac Vice*  
PARASMO LIEBERMAN LAW  
7400 Hollywood Blvd., Suite 505  
Los Angeles, CA 90046  
*Co-Counsel for Plaintiff*

Ethan M. Preston, *Pro Hac Vice*  
PRESTON LAW OFFICES  
4054 McKinney Avenue  
Suite 310  
Dallas, TX 75204  
*Co-Counsel for Plaintiff*

/s/ Jeffrey P. Brundage  
Jeffrey P. Brundage